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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/435,602	11/05/1999	MIKA LEPPINEN	4925-14	5428

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EXAMINER

POLLACK, MELVIN H

ART UNIT

PAPER NUMBER

2152

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4

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/435,602

Applicant(s)

LEPPINEN, MIKA

Examiner

Melvin H Pollack

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 November 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: *see attached office action*.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 5-9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings et al. (6,334,152) and Farber et al. (6,185,598).

3. For claim 1, the Mannings and Farber combination teaches a method (Mannings, col. 1, line 65) for minimizing data transmission (Mannings, col. 2, line 36) between a mobile station (Mannings, col. 1, line 68) and a gateway server (Mannings, col. 1, line 69), comprising the steps of:

- a. Transmitting by a mobile station to a gateway server a request for at least one of content (Mannings, col. 3, lines 52-64) and resource (Farber, col. 2, line 64 – col. 3, line 5) located on a web server (Mannings, col. 3, line 57) using a first protocol (Mannings, col. 3, lines 63-64);
- b. Transmitting the request by the gateway server to the web server (Mannings, col. 4, lines 9-16) using a second protocol that is compatible with that used by the web server (Mannings, col. 4, lines 37-38);
- c. Receiving a redirection message by the gateway server from the web server, the redirection message indicating a new location of the at least one of content and resource (Farber, col. 8, lines 50-53);

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- d. Creating and transmitting by the gateway server to one of the web server and another web server another request for the at least one of content and resource at the new location in response to the redirection message (Farber, col. 10, lines 14-20);
  - e. Receiving by the gateway server the at least one of content and resource from said one of the web server and another web server (Mannings, col. 4, lines 16-17); and
  - f. Transmitting the at least one of content and resource from the gateway server to the mobile station using the first protocol (Mannings, col. 4, lines 16-17).
4. Regarding the last two, Mannings teaches that one form of content is sent from the web server to the gateway server to the mobile unit. Mannings also teaches that the content can be sent to an entirely different unit altogether. However, such an arrangement shows that the data can be sent to any directed item, and it would have been obvious to direct it back to the mobile unit that was doing the requesting in the first place. Further, Farber also teaches that the content is returned to the client (col. 3, lines 13-23).
5. As shown above, Mannings teaches that a mobile unit can obtain content from a web server using an intermediary. Farber teaches that a client (such as a mobile unit) can request a resource and that the server receiving the request can redirect the request to another server. Mannings does not expressly disclose how to handle a situation where the web server lacks the requested content and expresses a desire to handle limited bandwidth (Mannings, col. 1, lines 16-19). At the time the invention was made, one of ordinary skill in the art would have combined the Mannings' front end of the network with Farber's back end of the network, thus giving Mannings better content handling and load distribution.

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6. As for claim 2, Mannings does not expressly teach that the method also involves transmitting the new location of the at least one of content and resource to the mobile station from the gateway server. Farber teaches this step (col. 8, lines 26-28). At the time the invention was made, one of ordinary skill in the art would have combined the Mannings' front end of the network with Farber's back end of the network for the reasons listed above and to provide the client with the new location for future reference.

7. As for claim 5, Mannings discloses the second protocol, but does not disclose what the second protocol is. However, it would have been obvious that the second protocol is based on a World Wide Web protocol given the context of a gateway server talking to a World Wide Web server. Furthermore, Farber discloses that the second method is based on a World Wide Web protocol (Farber, col. 7, lines 3-26). At the time the invention was made, one of ordinary skill in the art would have combined the inventions for the reasons listed above.

8. As for claim 6, Farber teaches that the second protocol is the HyperText Transport Protocol (col. 4, lines 34-38). At the time the invention was made, one of ordinary skill in the art would have combined the inventions for the reasons listed above.

9. As for claim 7, Mannings does not expressly disclose that the request is coded as a Uniform Resource Locator. Farber discloses the URL method (col. 3, lines 51-59). The reasons for combination to disclose the location have been provided above. At the time the invention was made, one of ordinary skill in the art would have combined the two inventions for the reasons above and to provide a simple method of providing the information.

10. Claim 8 is a system implementation for claim 1. Mannings discloses that the method is implemented as a system (see abstract). Further, it is taught in the art that the system

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implementation is functionally equivalent to the methods of the system. Since claim 1 is rejected, claim 8 is also rejected for the reasons above.

11. Claim 9 is a system implementation for claim 7. Mannings discloses that the method is implemented as a system (see abstract). Further, it is taught in the art that the system implementation is functionally equivalent to the methods of the system. Since claim 7 is rejected, claim 9 is also rejected for the reasons above.

12. Claim 12 is a system implementation for the portion of claim 1 that is drawn to the disclosure of the requested web server. Mannings discloses that the method is implemented as a system (see abstract). Further, it is taught in the art that the system implementation is functionally equivalent to the methods of the system. Since claim 1 is rejected, claim 12 is also rejected for the reasons above.

13. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings and Farber as applied to claims 1, 2, 5-9, and 12 above, and further in view of Daly et al. (6,393,014).

14. For claim 3, neither Mannings nor Farber expressly disclose that the new location is included as a header transmitted with the at least one of content and resource. However, Farber discloses that the new location is sent to the client (Farber, col. 8, lines 26-28). Daly discloses that the message headers in wireless IP can include the source and destination of the content (Daly, col. 7, lines 20-40). At the time the invention was made, one of ordinary skill in the art would have added this mobile networking solution to the aforementioned networking solution in order to utilize the headers as a method of including the new redirection information.

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15. Claim 11 is a system implementation for claim 3. Mannings discloses that the method is implemented as a system (see abstract). Further, it is taught in the art that the system implementation is functionally equivalent to the methods of the system. (Actually, claim 11 is broader. But if the narrower claim 3 is rejected, then the broader claim 11 is also rejected.) Since claim 3 is rejected, claim 11 is also rejected for the reasons above.

16. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings and Farber as applied to claims 1, 2, 5-9, and 12 above, and further in view of the WAP Architecture specification.

17. For claim 4, Mannings teaches that the first protocol is a Mobile IP protocol, but does not expressly disclose the first protocol is (or is based on) the Wireless Application Protocol. However, the WAP specification does show that the WAP was available at the time the invention was made, and it is obvious that Mannings' mobile IP protocol would be replaced by a more specific protocol. At the time the invention was made, one of ordinary skill in the art would have combined Mannings, Farber and the WAP specification in order to implement Mannings using a specific protocol.

18. Claim 10 is a system implementation for claims 4-6. Mannings discloses that the method is implemented as a system (see abstract). Further, it is taught in the art that the system implementation is functionally equivalent to the methods of the system. Claim 10 is drawn to the limitation that the first protocol is WAP, rather than just drawn to it, but the discussion in claim 4 shows that the combined invention uses WAP rather than a variant. Since claims 4-6 are rejected, claim 10 is also rejected for the reasons above.

*Conclusion*

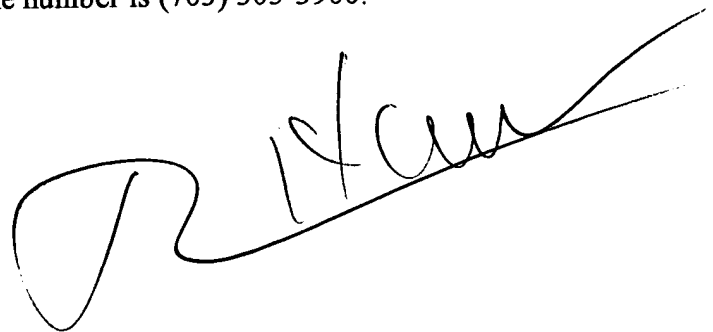
19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hoffpauir et al (H1,895) and Holmes et al (6,334,056) disclose other methods of using gateway servers to download content. Ferguson (5,649,186) shows another way to handle multiple web servers for the purpose of downloading content. Delph (6,356,934) and Stedman et al. (6,122,661) teach other methods for handling URLs in forwarding situations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin H Pollack whose telephone number is (703) 305-4641. The examiner can normally be reached on 8-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H Rinehart can be reached on (703) 308-4815. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

MHP  
May 31, 2002



**ROBERT B. HARRELL**  
**PRIMARY EXAMINER**